United Nations S/2005/16

Security Council

Distr.: General
11 January 2005
English
Original: French

Letter dated 14 December 2004 from the Secretary-General addressed to the President of the Security Council

I refer to the letter of 25 October 2004 (S/2004/858) from the President of the Security Council, in which he informed me that the members of the Council had concurred with the recommendation contained in my letter of 6 October 2004 (S/2004/797) to extend the mandate of the United Nations Office for West Africa (UNOWA) for a further period of three years, from 1 January 2005 to 31 December 2007, and that they had taken note of my intention to strengthen UNOWA to enable it to perform its mandate more effectively.

As requested by the members of the Council, I attach a copy of the intended mandate, functions and activities of UNOWA from 1 January 2005 to 31 December 2007 (see annex).

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

05-20519 (E) 120105 120105

Annex

Mandate, functions and activities of the United Nations Office for West Africa (UNOWA) from 1 January 2005 to 31 December 2007

I. Mandate

1. The United Nations Office for West Africa (UNOWA) is entrusted with the overall mandate of enhancing the contribution of the United Nations towards the achievement of peace and security priorities in West Africa.

II. Functions

2. In the performance of its mandate, UNOWA will continue to carry out the following tasks:

(a) Enhance linkages in the work of the United Nations and other partners in the subregion, by promoting an integrated subregional approach and facilitating coordination and information exchange, with due regard to specific mandates of United Nations organizations as well as peacekeeping operations and peacebuilding support offices;

(b) Liaise with and assist, as appropriate, the Economic Community of West African States (ECOWAS) and the Mano River Union, in consultation with other subregional organizations and international partners;

(c) Carry out good offices roles and special assignments in countries of the subregion, on behalf of the Secretary-General, including in the areas of conflict prevention and peacebuilding efforts;

(d) Report to Headquarters on key developments of subregional significance;

(e) Carry out additional tasks assigned by the Secretary-General and the Security Council, including support to the work of the Cameroon-Nigeria Mixed Commission and follow-up of the relevant recommendations contained in the report of the June 2004 Security Council mission to West Africa (S/2004/525 of 2 July 2004), and of the Council's recommendations on cross-border issues in West Africa (S/PRST/2004/7 of 25 March 2004).

III. Activities

3. In order to best achieve its above functions, the United Nations Office for West Africa will carry out the following activities:

(a) Enhance harmonization of the activities of the various United Nations missions and other regional entities through the regular holding of meetings of the Special Representatives of the Secretary-General and meetings with regional heads of United Nations agencies for West Africa;

(b) Strengthen cooperation with the ECOWAS secretariat in the promotion of peace, stability, good governance and development, including through the implementation of the joint programme of work developed by UNOWA and

ECOWAS and working visits by UNOWA staff to the ECOWAS secretariat. Cooperation with ECOWAS will continue to be carried out within the framework of cooperation agreed in 2004;

(c) Enhance cooperation with ECOWAS member States and their representatives in Abuja, including through regular working or good offices visits, as well as joint programmes and activities on peace, governance and development issues;

(d) Strengthen cooperation with key regional and international partners. These include the Mano River Union, the International Contact Group for the Mano River Basin, the European union and the Bretton Woods institutions, as well as civil society organizations and the private sector. Cooperation with the European Union will continue to be carried out within the agreed framework of cooperation;

(e) Follow-up of the matrix, formulated with key partners in the region, on the implementation of the recommendations on practical ways of combating cross-border problems in West Africa contained in the report of the Secretary-General (S/2004/200 of 12 March 2004) and in the Presidential Statement of the Security Council (S/PRST/2004/7 of 25 March 2004) adopted at the conclusion of its open debate. In this connection, periodic progress reports will be prepared on the implementation of the recommendations;

(f) Facilitate the identification of practical ways of curbing or minimizing emerging or potential tensions in specific border areas of the West African region, including through field visits and the formulation of integrated border strategies;

(g) Develop better knowledge and awareness about cross-border and subregional problems confronting West Africa, including through the following activities: (i) undertake studies, organize forums and seminars, and help develop practical and concerted strategies for addressing current forefront and emerging issues in West Africa, including the regional dimensions of youth unemployment, security sector reform, and the proliferation of small arms and light weapons; (ii) prepare periodic updates on the regional impact of conflict situations; (iii) develop targeted public information strategies on cross-border and subregional issues in West Africa. These activities are organized in cooperation with the relevant United Nations entities and partners in the region;

(h) Facilitate, mainly by the Special Representative of the Secretary-General in his capacity as chairman of the Cameroon-Nigeria Mixed Commission, the implementation of the work plan approved by Cameroon and Nigeria towards the implementation of the 10 October 2002 ruling of the International Court of Justice on the land and maritime boundary dispute between the two countries and help with the demarcation process.

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Security Council

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11 January 2005

Original: English

Letter dated 11 January 2005 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 14 December 2004 (S/2005/16) concerning the intended mandate, functions and activities of the United Nations Office for West Africa (UNOWA) has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter.

(*Signed*) César **Mayoral**
President of the Security Council

05-20513 (E) 120105

United Nations S/2005/18

Security Council

Distr.: General
11 January 2005

Original: English

Letter dated 6 January 2005 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Mission in Liberia (UNMIL) established by Security Council resolution 1509 (2003) of 19 September 2003.

Following the usual consultations, I would like to inform you that it is my intention to appoint Lieutenant General Joseph Olorungbon Owonibi (Nigeria) as Force Commander of UNMIL as of 1 January 2005. Lieutenant General Owonibi has been serving as Deputy Force Commander of UNMIL. He will replace Lieutenant General Daniel Ishmael Opande (Kenya), who has served as Force Commander of UNMIL since October 2003. I would like to take this opportunity to express my gratitude to Lieutenant General Opande for his exemplary and highly professional service in UNMIL.

I would be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

05-20507 (E) 120105

United Nations S/2005/19

Security Council

Distr.: General
11 January 2005

Original: English

Letter dated 11 January 2005 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 6 January 2005 (S/2005/18) concerning your intention to appoint Lieutenant General Joseph Olorungbon Owonibi (Nigeria) as Force Commander of the United Nations Mission in Liberia (UNMIL), has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) César **Mayoral**
President of the Security Council

05-20501 (E) 120105

United Nations S/2005/20

Security Council

Distr.: General
12 January 2005

Original: English

Letter dated 10 January 2005 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1244 (1999), I have the honour to convey the attached report on the international security presence in Kosovo covering the period 1 to 30 November 2004 (see annex). I should be grateful if you would bring it to the attention of the members of the Council.

(*Signed*) Kofi A. **Annan**

05-20646 (E) 120105

Annex

Monthly report to the United Nations on the operations of the Kosovo Force

1. The present report covers the period from 1 to 30 November 2004.

2. As at 30 November 2004, the total number of troops in theatre was 17,685, including 3,044 troops from non-NATO countries.

3. There is no change in the status of partner/non-NATO nation contributions.

Security

4. The general situation in Kosovo, though apparently calm, remains fragile and tense and is expected to remain so for the foreseeable future.

5. The traditional autumn decline in ethnically motivated incidents is taking place, with a decrease in such incidents nearing 50 per cent since last month (11 reported incidents in October, 6 in November).

6. The threat against KFOR remained relatively low throughout November.

7. In terms of organized crime, a total of 22 incidents were reported in relation to drug-trafficking, illegal weapons finds and smuggling operations during November. This represents a decrease of 10 per cent from October. There was a slight increase in counterfeit currency cases and a slight decrease in drug-related crime. The level of smuggling incidents and illegal weapons finds during the reporting month was the same as in October.

8. As reported last month, KFOR still continues operations to secure the theatre, avoid ethnic violence and protect patrimonial sites. KFOR also remains vigilant to deter possible threats directed against international organizations and military bases. The NATO force continues to improve its crowd and riot control capabilities in order to be better prepared to counter a resurgence of violence.

Compliance by the Army of Serbia and Montenegro and the Ministry of Internal Affairs Special Police

9. No breaches of the Military Technical Agreement were reported during November 2004.

Kosovo Protection Corps

10. The current composition of KPC is 3,028 active members, including 157 members of minorities, of which 44 are Serbs. The reserve personnel establishment list includes 1,809 members, of which 17 are from ethnic minorities. The percentage of minority representation increased from 4.26 per cent in October to 5.14 per cent in November 2004.

11. During September 2004, the multinational brigades carried out 39 roll calls. The percentage of personnel absent without permission increased from 0.45 per cent in October to 5.53 per cent in November 2004. This increase is currently being investigated.

12. The new directive on the authorization of KPC field exercises, as drafted by the KFOR headquarters inspectorate of KPC, was agreed in November. However its implementation at the level of KPC is yet to be completed.

13. On 28 November, Albanian Flag Day was observed, with the main celebration of this event occurring in Skenderaj, where 641 uniformed KPC members took part. No incidents were reported.

Conclusion

14. Overall, the situation remained calm but tense despite fears that Albanian Flag Day might lead to unrest. As winter sets in, the Kosovar population is turning its attention to getting adequate supplies of power and heating at a time when shortages are likely to occur. KFOR continues to monitor the security situation.

United Nations S/2005/21

Security Council

Distr.: General
11 January 2005

Original: English

Report of the Secretary-General concerning the credentials of the alternate representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 11 January 2005 from the United States Mission to the United Nations stating that Roger Noriega has been appointed alternate representative of the United States of America on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

05-20675 (E) 120105

United Nations S/2005/21/Corr.1

Security Council

Distr.: General
28 January 2005

Original: English

Report of the Secretary-General concerning the credentials of the alternate representative of the United States of America on the Security Council

Corrigendum

Document S/2005/21 is hereby withdrawn.

05-22588 (E) 020205

United Nations S/2005/22

Security Council

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13 January 2005

Original: English

Letter dated 13 January 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

On 15 October 2004, the Committee established pursuant to paragraph 6 of Security Council resolution 1373 (2001) (the Counter-Terrorism Committee (CTC)) submitted a work programme for the thirteenth 90-day period (S/2004/820). Annexed hereto is the Committee's work programme for the fourteenth 90-day period, which covers the months from January to March 2005 (see annex).

The activities of CTC will proceed in compliance with the provisions of Security Council resolutions 1535 (2004) and 1566 (2004).

The Committee will continue to work with Member States on monitoring the implementation of Security Council resolution 1373 (2001), guided by the principles of cooperation, transparency and equal treatment. The Committee will remain focused on strengthening the consensus within the international community on the importance of combating terrorism, undertaking practical measures designed to enhance the counter-terrorism capacity of States; helping to identify and address the problems faced by States in implementing Council resolution 1373 (2001); and contributing to the process of increasing the number of States that are parties to the relevant international conventions and protocols. All of these tasks will be fulfilled in accordance with the Committee's mandate, as set out in paragraph 6 of the resolution, to monitor its implementation.

During the period covered by the fourteenth work programme, CTC will continue its efforts to complete the revitalization process, in particular, to ensure that the Counter-Terrorism Committee Executive Directorate becomes fully operational. In accordance with Security Council resolution 1566, CTC will enhance cooperation with the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban, and the Committee established pursuant to resolution 1540 (2004).

The effective facilitation of technical assistance and enhancing cooperation with international organizations will remain one of the major areas of CTC activities. It will hold the fourth special meeting with international, regional and subregional organizations in Almaty (Kazakhstan) from 26 to 28 January 2005 and conduct its first visit to one of the Member States.

05-20880 (E) 140105

The Counter-Terrorism Committee welcomes the support it has received from Member States, the United Nations Secretariat and international, regional and subregional organizations and appreciates the contribution of its team of experts.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

Annex

Work programme of the Counter-Terrorism Committee (1 January-31 March 2005)

1. The present document sets out the work programme of the Counter-Terrorism Committee for its fourteenth 90-day period, from 1 January to 31 March 2005. This work programme updates that submitted for the thirteenth 90-day period (S/2004/820, annex).

Summary

2. The Counter-Terrorism Committee will:

(a) Continue close cooperation with the Executive Director of the Counter-Terrorism Committee Executive Directorate in order to make the Directorate fully operational in the shortest possible time;

(b) Hold the fourth special meeting of the Counter-Terrorism Committee with international, regional and subregional organizations from 26 to 28 January 2005 in Almaty (Kazakhstan);

(c) Start visits to Member States in compliance with Security Council resolution 1535 (2004), with their consent and in accordance with the procedures agreed by CTC;

(d) Continue to circulate the States' Assistance Matrix on a monthly basis, to identify assistance needs and offers;

(e) By 31 January:

(i) Complete the review of 10 further reports;

(ii) Accelerate the preparation of assessments of the assistance needs of individual countries, including sending the assessments to the State concerned. The assessments are intended for eventual sharing with interested donor States and organizations;

(iii) The Chairman will give a joint briefing with the Chairmen of the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban, and the Committee established pursuant to resolution 1540 (2004) to interested delegations on the cooperation of the Committees;

(f) By 28 February:

(i) Complete the review of 10 further reports;

(ii) Pursuant to Security Council resolution 1566 (2004), develop, in consultation with relevant international, regional and subregional organizations and United Nations bodies, a set of best practices to assist States in implementing the provisions of resolution 1373 (2001) related to the financing of terrorism;

(g) By 31 March:

(i) Complete the review of 10 further reports;

(ii) Conduct the first visit to one of the Member States with its consent, with the aim of engaging in a direct dialogue to monitor the implementation of Security Council resolution 1373 (2001).

I. Implementation of Security Council resolution 1373 (2001)

3. The Counter-Terrorism Committee and its subcommittees will continue to review the reports submitted by States pursuant to paragraph 6 of Security Council resolution 1373 (2001).

4. By 31 December 2004, the Committee had received 551 reports from States and others. They include first reports from 191 Member States and 6 from others, 160 second reports from Member States and 2 from others, 119 third reports from Member States and 1 from other, and 72 fourth reports from Member States. As indicated earlier, all States have submitted their first reports.

5. Nevertheless, 79 States have missed the deadlines for submission of their respective reports. The Committee urges all States that have not submitted their reports on time to submit them as soon as possible in fulfilment of the provisions of Security Council resolution 1373 (2001). The Committee will continue to work with States to address this issue, including considering the specific situation of States. The Chairman of the Committee will continue to provide the Council with the list of States late in the submission of their reports.

6. In accordance with Security Council resolution 1456 (2003), the Committee will continue to report regularly on the progress made by States regarding their obligation to report to the Council pursuant to paragraph 6 of resolution 1373 (2001).

7. The Committee will continue to encourage Member States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, contained in paragraph 3 (d) of Security Council resolution 1373 (2001) and paragraph 2 (a) of the declaration annexed to Council resolution 1456 (2003), and to incorporate their provisions in domestic legislation.

II. Work of the Counter-Terrorism Committee

8. In accordance with Security Council resolutions 1535 (2004) and 1566 (2004), CTC will continue its efforts to ensure that the Counter-Terrorism Committee Executive Directorate becomes fully operational as soon as possible. The Committee will consider ways to further increase its capacity, including through enhanced cooperation with the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban, and the Committee established pursuant to resolution 1540 (2004).

9. The Counter-Terrorism Committee, including through the Chair, will work closely with the Executive Director of the Counter-Terrorism Committee Executive Directorate in order to contribute to its success in the implementation of the provisions of Security Council resolutions 1535 (2004) and 1566 (2004).

10. The Committee will continue its activities aimed at facilitating technical assistance to Member States and reinforcing coordination and cooperation with international, regional and subregional organizations.

11. The Committee will conduct its first visit to one of the Member States in March 2005. The visit will take place in accordance with the general guidelines for conducting CTC visits to Member States and the procedures for the preparation, conduct and evaluation of the results of those visits. The Committee will use the visits to develop a direct dialogue with States and to fulfil effectively its mandate to monitor the implementation of Security Council resolution 1373 (2001) and facilitate the provision of technical and other assistance for such implementation.

12. While pursuing a case-by-case approach in monitoring the implementation of Security Council resolution 1373 (2001), the Committee will bear in mind all international best practices, codes and standards that are relevant to the implementation of Council resolution 1373 (2001). Pursuant to Council resolution 1566 (2004), it will develop a set of best practices to assist States in implementing the provisions of Council resolution 1373 (2001) related to the financing of terrorism, in consultation with relevant international, regional and subregional organizations and United Nations bodies.

III. Technical assistance

13. The facilitation of the provision of technical assistance aimed at strengthening the counter-terrorism capacity-building of countries in need will remain one of the major objectives of the Counter-Terrorism Committee. The Committee will continue its efforts to enhance direct dialogue with Member States and the donor community on the issues of providing technical assistance that is better tailored to real needs. The Group of Eight Counter-Terrorism Action Group provides significant counter-terrorism assistance, which constitutes support for the Committee's work and the Committee will seek further reinforcement of cooperation with the Action Group.

14. The Committee will accelerate preparation of the assessments of countries' assistance needs. Those assessments, with the consent of the States concerned, will be shared with interested donor States and organizations in order to facilitate the provision of technical assistance for effective implementation of Security Council resolution 1373 (2001).

15. The Committee has developed the Directory of Counter-Terrorism Information and Sources of Assistance, which can be consulted on its web site, at http://www.un.org/Docs/sc/committees/1373/ctc_da/index.html. The Directory is designed to be a source of information on counter-terrorism-related best practices, model laws and available assistance programmes. The Committee has also produced an Assistance Matrix to collect updated information on requests received from States and on assistance offered by potential providers, including international, regional and subregional organizations. The Committee will maintain both information resources.

16. The Committee encourages all relevant organizations to contact it on a regular basis to ensure that the information provided is both accurate and useful for Member States seeking technical assistance. The Committee also encourages organizations to continue to submit information on international best practices, codes and standards

relevant to the implementation of Security Council resolution 1373 (2001) and on any forms of assistance and guidance in implementing those best practices, codes and standards. The Committee further encourages Member States that have requested and received assistance to contact it and provide feedback.

IV. Transparency in the work of the Counter-Terrorism Committee

17. The Committee will uphold transparency as one of the basic principles of its work.

18. The Committee will continue to provide information on its activities on a regular basis, including through briefings for interested delegations by the Chairman. The next briefing will be held in January 2005.

19. The Committee will update its web site (http://www.un.org/sc/ctc) as a source of detailed information on all issues related to Security Council resolution 1373 (2001).

20. The Committee, through its Chairman, the Executive Director and, where appropriate, the Committee's experts, will continue to maintain close relations with organizations and programmes of the United Nations system on aspects relevant to international counter-terrorism efforts, within the scope of the mandate contained in Security Council resolution 1373 (2001).

21. States are encouraged to make direct contact with the subcommittees or the Executive Director of the Counter-Terrorism Committee Executive Directorate to seek any clarification on the issues covered in their correspondence with the Committee or on any other issue (tel.: 1-212-963-3520 or 1-212-457-1266; fax: 1-917-367-5897; e-mail: ctc@un.org). In addition, CTC experts and the Directorate, once it becomes fully operational, may, when it is deemed appropriate, contact States to seek further clarification from them on issues arising from their reports.

V. Cooperation between the Counter-Terrorism Committee and international, regional and subregional organizations

22. Pursuant to the action plan agreed at the special meeting of the Committee held on 6 March 2003, CTC has been expanding its contacts and cooperation with international, regional and subregional organizations. In accordance with Security Council resolution 1566 (2004), CTC will continue its efforts to strengthen its interaction with those organizations in order to facilitate full and timely implementation of Council resolution 1373 (2001). In cooperation with the Commonwealth of Independent States, it will hold the fourth special meeting with international, regional and subregional organizations in Almaty (Kazakhstan) from 26 to 28 January 2005.

23. The Committee, through its Chairman and the Executive Director, and, where appropriate, the Committee's experts, will continue to establish new contacts and deepen existing ones with organizations outside the United Nations system by attending regional meetings and conferences.

United Nations A/59/670–S/2005/23

General Assembly
Security Council

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General Assembly
Fifty-ninth session
Agenda item 36
The situation in the Middle East

Security Council
Sixtieth year

Identical letters dated 12 January 2005 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On the instructions of my Government, and with reference to press statement SC/8289 issued by the President of the Security Council, dated 11 January 2005, and with reference also to the Secretary-General's press release SG/SM/9669, dated 10 January 2005, I have the honour to make the following clarifications.

Concerning the press statement by the President of the Security Council,

(a) "The legal attack by Hizbollah" that the press statement refers to in its first paragraph was, in fact, a roadside explosive device attributed to Hizbollah;

(b) This roadside explosive device was against an "Israeli patrol" in the Lebanese Shaba'a farms that are occupied by Israel and followed an Israeli attack on 7 January 2005 against two Lebanese civilians and their civilian vehicle across the Blue Line, on the Lebanese side, in the outskirts of the village of Meis El-Jabal.

Concerning the Secretary-General's press release, I would like to reiterate that the roadside explosive device attributed to Hizbollah was located in the Lebanese Shaba'a farms and not on the Israeli side of the Blue Line.

I request to have the present letter circulated as a document of the Security Council and of the General Assembly, under agenda item 36.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative

05-20793 (E) 130105

United Nations A/59/671–S/2005/24

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Security Council

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Fifty-ninth session
Agenda item 36
The situation in the Middle East

Security Council
Sixtieth year

Identical letters dated 11 January 2005 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I have the honour to transmit herewith a summary of Israeli violations and acts of aggression carried out against Lebanon from 26 to 30 December 2004, inclusive (see annex).

These grave violations are part of a series of persistent and provocative Israeli violations of Lebanese territory, including air, sea and land, and contravene the principles of international law, the resolutions of international legitimacy and the repeated calls of the United Nations for their cessation.

In view of these violations and the stepping-up of Israeli threats against Lebanon and the safety of its territory and its citizens, Lebanon relies upon the United Nations to deter and prevent Israel from indulging in such dangerous acts, which constitute a threat to international security and peace. Lebanon holds Israel fully responsible for any consequences to which those acts may lead.

In drawing your attention to the grave consequences of such acts, I request that the present letter of complaint and its annex be circulated as a document of the General Assembly, under agenda item 36, and of the Security Council.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative

05-20903 (E) 130105

Annex to the identical letters dated 11 January 2005 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On 26 December 2004, between 0945 and 1145 hours, an Israeli drone plane violated Lebanese airspace at a medium altitude, entered from above the sea facing Tyre, headed to Beirut and flew in a circular motion over Saida and Khalde.

On 27 December 2004, between 0959 and 1315 hours, an Israeli drone plane violated Lebanese airspace at a medium altitude, entered from above the sea facing Tyre and flew in a circular motion over Saida and Tyre.

On 27 December 2004, between 1025 and 1315 hours, an Israeli drone plane violated Lebanese airspace at a medium altitude, entered from above the sea facing Tyre and flew in a circular motion over Saida and Tyre.

On 30 December 2004, between 1119 and 1202 hours, three Israeli warplanes violated Lebanese airspace at different altitudes, entered from above the sea facing Jbeil, headed to Baalbach and Chekaa and flew in a circular motion over Jbeil, Tripoli and Baalback.

United Nations A/59/672–S/2005/25

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Fifty-ninth session
Agenda item 36
The situation in the Middle East

Security Council
Sixtieth year

Letter dated 11 January 2005 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I include below a summary of Israeli violations and acts of aggression against Lebanese sovereignty which occurred during the period from 1 to 8 January 2005.

Air violations

Between 1113 and 1145 hours on 6 January 2005 two Israeli warplanes overflew the sea off Tripoli at a distance of 12 miles from the coast, then headed south towards the Dahr al-Baydar area, proceeding as far as the regions of Jazzin and Sidon and out to a distance of 10 miles over the sea. They then flew back in a northerly direction and circled between Tripoli, Dahr al-Baydar, Jazzin and Sidon, thus violating Lebanese airspace.

At various intervals between 1200 and 1315 hours on 7 January 2005 Israeli enemy aircraft flew at extremely high altitude over the occupied Shab`a Farms.

Between 2050 and 2100 hours on 8 January 2005 two Israeli helicopters performed a flight off Ra's Naqurah, thus violating Lebanese airspace.

Sea violations

At 1625 hours on 1 January 2005 in the open sea off Ra's Naqurah an Israeli enemy gunboat fired a number of rounds in the direction of the territorial waters.

At 0810 hours on 7 January 2005 in the open sea off Ra's Naqurah an Israeli enemy gunboat fired a number of rounds in the direction of the territorial waters. It returned between 2125 and 2135 hours and fired two flare bombs over the said waters.

At 1849 hours on 8 January 2005 in the open sea off Ra's Naqurah, an Israeli enemy gunboat fired a flare bomb over the territorial waters.

05-20916 (E) 140105 140105

Field violations

At 1400 hours on 7 January 2005, on the outskirts of the town of Mays al-Jabal, in the Qadimah Gate locality on the border, within Lebanese territory, while two persons named Ali Dahir and Hasan Dulani were collecting scrap metal with a van, Israeli enemy forces fired a number of rounds from light weapons in their direction. The van was struck by a number of shots, but the two persons were not wounded.

These grave violations are part of a series of persistent and provocative Israeli violations of Lebanese airspace and territory and go against the principles of international law, the resolutions of international legitimacy and your repeated calls for their cessation.

In view of these violations and the stepping-up of Israeli threats to Lebanon and the safety of its territory and its citizens, Lebanon calls upon the Security Council to deter and prevent Israel from such dangerous acts, which pose a threat to international security and peace. Lebanon places upon Israel full responsibility for any consequences to which those acts may give rise.

I should be grateful if you would have this letter circulated as a document of the General Assembly under agenda item 36 and of the Security Council.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative

United Nations A/59/673–S/2005/26

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General Assembly
Fifty-ninth session
Agenda item 36
The situation in the Middle East

Security Council
Sixtieth year

Letter dated 11 January 2005 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I transmit to you herewith a statistical table showing the number of Israeli violations of Lebanese sovereignty which occurred during December 2004.

These grave violations are part of a series of persistent and provocative Israeli violations of Lebanese territory and airspace, and go against the principles of international law, the resolutions of international legitimacy and your repeated calls for their cessation.

In the light of these violations and the escalation of Israeli threats to Lebanon and the safety of its territory and its citizens, Lebanon calls upon the United Nations to deter and prevent Israel from such dangerous acts, which pose a threat to international peace and security. Lebanon places upon Israel full responsibility for any consequences of these acts.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 36 and of the Security Council.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative

05-20922 (E) 140105 140105

Annex to the letter dated 11 January 2005 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

Statistical table showing the number of Israeli violations during December 2004

Air violations				*Sea violations*	*Land violations*			*Total violations*	*Remarks*
					Military acts of aggression	*Field violations*	*Breaches*		
Military jet	*Reconnaissance*	*Helicopter*	*Total*	*Crossing of territorial waters, artillery fire and shooting of flares over territorial waters*	*Air raids, artillery fire, shelling of military positions and important centres, attacks on and killing of civilians*	*Gunfire, shooting of flares, dropping of artillery missiles, infiltration and crossing of international borders*	*Threats on display of weapons, bulldozing of soil, placing of barbed wire and setting-up of installations inside Lebanese territory*		*Total violations in the previous month*
13	14	1	28	11	-	10	2	51	70

United Nations S/2005/27

Security Council

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14 January 2005
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Letter dated 13 January 2005 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to draw your attention to the fact that the Permanent Mission of France to the United Nations continues to have the initiative in terms of the Security Council resolutions and declarations concerning Côte d'Ivoire. We believe that at the current stage of the conflict, the recognized implication of France does not permit the impartiality necessary for playing such a role.

During the events of November 2004, the French force (Operation Licorne) showed its bias by destroying all the military aircraft of our defence and security forces, bombarding our presidential palaces and firing live ammunition at unarmed demonstrators. My Government, therefore, no longer wishes the Council's statements on Côte d'Ivoire to be initiated by France.

Furthermore, my Government has requested the Security Council to integrate the French force into the United Nations Operation in Côte d'Ivoire (UNOCI), in the interest of equitable management of the crisis. One cannot be both judge and judged, and such a situation could threaten the very credibility of our Organization.

Although these requests have already been addressed repeatedly to both the Council and the Secretary-General, there has so far been no response. My Government is confident that the members of the Council will show their understanding and take our concerns into consideration.

I would be grateful if you would have this letter published as a document of the Security Council.

(*Signed*) Philippe **Djangone-Bi**
Ambassador
Permanent Representative

05-21003 (E) 170105 170105

United Nations S/2005/28

Security Council

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14 January 2005

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Letter dated 13 January 2005 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to send you herewith an updated progress report on the implementation of the Linas-Marcoussis Agreement since the beginning of President Thabo Mbeki's mediation (see annex).

Please kindly have the present letter and its annex issued as a document of the Security Council.

(*Signed*) Philippe **Djangoné-Bi**
Ambassador
Permanent Representative

05-21219 (E) 310105

Annex to the letter dated 13 January 2005 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

MOVING THE PEACE PROCESS FORWARD : AN UPDATE ON THE IMPLEMENTATION OF THE THABO MBEKI ROADMAP

I – THE LEGISLATIVE PROGRAMME : National Assembly – Government – Monitoring Committee

Actions to be taken	DUE DATE Start date suggested by the mediator :	Actions taken	Observations
Complete legislative program excluding article 35	February 06, 2005	. The Bill on the Amnesty .	Law # 2003-309 Promulgated on August 8th 2003
		.The Bill related to the amendment of the law#2002-03 of January 3,2002 for the Identification of the population and the status of foreigners in Côte d'Ivoire. Thus, abrogating the law #98-448 of August 4, 1998.	Law #2004-303 Promulgated on May03, 2004
		.The Bill related to the creation, organization, prerogatives and functioning of the National Commission of Human Rights in Côte d'Ivoire.	Law # 2004-302 Promulgated on May 03, 2004
		.The Bill authorizing the President of the Republic to ratify the additional protocol A/SP. 1/6/89 amending and completing the dispositions	Law # 2004-411 Promulgated on August 14, 2004

		of the article 7 concerning the freedom of circulation of people, the right for residence and the right for settlement signed in Ouagadoudou on June 30,1989.	
		. The Bill on the declaration of the President's personal assets	Law # 2004-413 Promulgated on August 15, 2004
		.The Bill for the amendment of the article 26 of the law #98-750 of December 23,1989 related to the Land Tenure Law.	Law # 2004-412 Promulgated on August 03, 2004
		.The Bill related to the financing of political parties and organizations and of the electoral campaigns from public funds and abrogating the law#99-694 of December 14, 1999.	Law # 2004- 494 Promulgated on September 10, 2004
		. The Bill amending the law #2001-634 of October 9,2001 related to the members, organization, prerogatives and functioning of the Independent Electoral Commission.	Law # 2004-642 Promulgated on December 14, 2004
		. The Bill related to the legal status of the Press.	Law # 2004-643 Promulgated on December 14, 2004
		.The Bill fixing the legal the legal status of the audio – visual communication.	Law # 2004 – 644 Promulgated on December 14, 2004
		.The Bill related to the amendment of the Constitution of August 1, 2000.	Being examined according to the constitutional prescriptions

		.The Bill amending and completing the law#61-415 of December 14,1961 related to the nationality code as amended by the law 72-852 of December 21,1972	Law# 2004 -663 Promulgated on December 2004.
		.The Bill related to the legal and special dispositions of law on naturalization.	Law# 2004-662 Promulgated on December 17, 2004.
		. The organic Bill related to the organization of the referendum.	Rejected for lack of majority (For: 108 Abstention : 86 Nil :01) To be rescheduled.
		. The Bill authorizing the President of the Republic to ratify the additional protocol A/SP.5/02/90 concerning the implementation of the 3rd stage (the right for settlement) of the protocol on the freedom of circulation of people, the right for residency and settlement signed in Banjul on May 29,1990.	Examination of the Bill by the National Assembly has been deferred.
		The Bill related to the compensation of the war victims and the creation ,organization, prerogatives and functioning of the National Commission in charge of the Identification, the Rehabilitation and the Reinsertion of the war	Has been tabled at the National Assembly but has not been examined by the MPS in Commission or in plenary because the Minister in charge of the Department and member of the rebellion was unaccounted for

		victims, the displaced persons and exiles.	
		The Bill related to the legal status of the opposition..	Not adopted by the Cabinet Meeting because of the suspension of the Ministers members of the rebellion from the activities of the government. The Minister in charge of the Department is a member of the rebellion
		The Bill related to the Assets of the elected personalities.	Not adopted by the Cabinet Meeting because of the rebel Ministers' decision to suspend their activities from the government of national reconciliation.
		The Bill related to the repression of unlawful enrichment.	Not adopted by the Cabinet Meeting.

GENERAL COMMENTS

1- It is important to note that the due date for the adoption of the Bills from the Linas Marcoussis and Accra III peace Agreements in Parliament, as suggested by the facilitator, was February 6, 2005. But, The President of the Republic, the Government of National Reconciliation and the National Assembly have all worked very hard to end the examination and adoption of all the Bills on December 17,2004. To give peace a chance they worked day-in and day out for three (3) weeks to make it possible.
This performance highlights the Head of State's commitment and determination to participate in the success of the mission of President Thabo Mbeki. This also shows that the President has always been committed to implement the Linas Marcoussis and Accra III Agreements.

2- With regards to the dispositions for the organization of the Referendum. In legal matters, what is not forbidden by law is considered as authorized. The Linas Marcoussis and Accra III Agreements are not opposed to the referendum.
On January 06, 2004, the Secretary General of the United Nations Mr. Kofi Anan, himself, said that only the amendment of the Article 35 of the constitution should be submitted to a referendum.

II - THE DISARMAMENT –DEMOBILIZATION ET REINSERTION PROGRAMME

The National Commission for Disarmament- Demobilization and Reinscrtion (CNDDR)
Defence and Security Forces of Côte d'Ivoire

Actions to be taken	Due Period	Structure in charge	Actions taken	Observations
Resumption of CNDDR functions and preparation of the DDR sites as per Yamoussoukro plan of action	month1	CNDDR	None	
Start of regroupment for DDR	month2	CNDDR	None	
Completion of DDR	Month 4	CNDDR		
Start disarming paramilitary groups and militia.	Month 1	CNDDR and Defence and Security Forces of Côte d'Ivoire	None	

OBSERVATIONS:

. One month after the Plan has been submitted to the different parties there has been no commencement of the D.D.R programme.

.The rebels must start disarming for the President to pursue the implementation of the other points of President Mbeki's roadmap.

.Concerning the recruitment of 600 combatants from the rebel groups to ensure security in the besieged zones before and after the disarmament process, the President of the Republic believes that such a recruitment will be conducted on a regional and ethnical basis and this is unacceptable in a country already divided.
The President of the Republic suggests that this recruitment be either conducted on a national basis or that the government of South Africa agrees to send 600 members of its army to undertake this mission of security in the besieged zones until the situation normalizes. .

III – CREATING A CLIMATE CONDUSIVE TO FREE POLITICAL ACTIVITY

Actions to be taken	DUE DATE	Responsibility	Actions taken	Observations
Restoration of RTI management	Without delay	President GBAGBO	.The National Assembly has just passed the Bill related to the legal status of the Press and the Bill fixing the legal status of the audio-visual communication.	Law # 2004-643 Promulgated on 12 / 14 / 2004 Law # 2004-644 Promulgated on 12/14/2004
			.The President promised to restore the management of the RTI. He said it in his New Year Address to the nation of December 31,2004 .	« As of Next week, the RTI will leave its present situation to resume with its legal management » An extract from the PR new year address. Since January 3,2005 the former Executive Manager of the RTI has reported to work and a new Board of Directors has been designated according to the new status of the RTI.
			On instruction of the President, the Director of the Cabinet of the Minister for Employment and Public office, ensuring the interim of the Minister of Communication, proceeded to the reinstallation of the General manager of the RTI	January, the 3rd, 2005
Call upon media to avoid hate speech	Without delay	President Gbagbo and the Government of national reconciliation	The President of the Republic in his New year Address to the nation on December 31,2004 has called upon	« This evening I would like the local press and the media to let politicians do politics. Your mission is to inform. The war has fragilized our country by aggravating sensitive issues.

			local and international media to depart from hate speech	I invite you to refrain, in your articles, language and commentaries from any words or comments that can lead to hatred. The same appeal goes to the international media. They are more powerful than our newspapers, our radios and our televisions. They have a wider audience. They reach out to places where our media cannot reach. They are listened to and watched in places where our media cannot be listened to and watched. They continue to broadcast when our media are off. Their credibility is often overstated. We don't stress enough how important is their responsibility in the winces we encounter in most crisis in Africa."
Urge the Young Patriots to "leave the streets"	Without delay	President Gbagbo and the Government of national reconciliation	The Young Patriots have made a real contribution to the peace process by leaving the streets.	They even participated, in an act of civism to an operation of clean up of the sites they occupied for about three weeks.
Resume joint patrols	Without delay	ONUCI et FDS-CI	. Elaboration of a protocol of Agreement. . Definition of the missions modalities . joint patrols in motion : 4 vehicles per unit : 2 ONUCI et 2 FDS-CI ; . The President of the republic has signed a decree suspending all street demonstrations until March 30, 2005. They Young Patriots have participated in the	The joint patrols as indicated in the Thabo Mbeki Plan are going on well. (cf report from the Military Headquarter and the Ministry of Defence) The resumption of the joint patrols has generated a peaceful climate in Abidjan and is a great contribution in the normalization of life in the economic capital.

			campaign of sensitization for the implementation of the decree.	

IV – FUNCTIONING OF THE GOVERNMENT NATIONAL RECONCILIATION

Actions to be take	DUE PERIOD	Responsibility of	Actions taken	Observations
The security of the ministers of the government of national reconciliation	Within 1 week	The President of the Republic. Prime Minister ONUCI	The security of the Ministers of the government of national reconciliation is assured by the FDS-CI and ONUCI	A lot of efforts have been made to reduce insecurity in the government – controlled part of the country. But it is fair to say that the problem of insecurity exists because the rebels brought war in the country and are still carrying weapons. It is a global affair that can be defeated if the disarmament is completed, the Administration is redeployed and the country is reunified.
Return of all Ministers to Government	Within 2 weeks	The President of the Republic The Prime Minister ONUCI	All the Ministers have effectively reported to duty are attending the weekly Cabinet Meetings except the Ministers who are from the rebellion	The Prime Minister has asked the President to give some days off to the government for Christmas and New Year holidays. The next cabinet Meeting will be held on Thursday January 6,2005.

General Comments

. Despite the malfunctioning of the government and the difficulties that the President encounters to make it work as a team, the President of the Republic is still committed to maintain the number of the political parties and organizations represented in the government of national reconciliation and its structure, as recommended by the Linas Marcoussis and Accra III Agreements.

. However if this difficult situation of the functioning of the government was to continue, the President wishes to form a new government with Ministers coming from the same political parties and organizations signatories of the Linas Marcoussis and Accra III Agreements.
The President of the Republic will remain open to discussions with the Prime Minister and all the different parties for the forming of the new government.

V – RESTORATION OF SOCIAL SERVICES AND REDEPLOYMENT OF ADMINISTRATION IN THE WHOLE TERRITORY.

Actions to be taken	Due Period	Responsibility of	Actions taken	Observations
Start of the restoration of the social services	Month 1	Government of national reconciliation	No action has been taken	
Start of the redeployment of the administration and judiciary	Month 3	Government of national reconciliation	No action has been taken	

General comments

.These two actions are linked to the DDR programme. If there no DDR, it is almost impossible to commence the restoration of the social services and the redeployment of the administration and judiciary. The redeployment of the administration should take place simultaneously with the DDR programme.

. The monitoring Committee of the Thabo Mbeki plan must become operational right after the facilitator has submitted his report to the African Union.

. President Gbagbo jointly with UNDP and ONUCI conveyed 22 children from the besieged zones of Bouaké (centre) and Korogho (north).The children form Man (west) could not come for security reasons.
On the whole the President received 78 orphans from Abidjan and its surroundings, plus the 22 childre of the besieged zones at the Presidential Palace for the Christmas and New Year celebration on December 30th and 31st 2004.

. The Peace and reconciliation concert offered by the President to the whole nation took place at the national stadium Felix Houphouët Boigny on the 1st of January 2005.

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Security Council

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Letter dated 13 January 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Nigeria to the United Nations addressed to the President of the Security Council

In my capacity as the representative of the Current Chairman of the African Union, I have the honour to transmit herewith, in English and French, the final version of the communiqué issued by the Peace and Security Council of the African Union at its twenty-third meeting, held in Libreville on 10 January 2005.

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Simeon A. **Adekanye**
Chargé d'affaires
Representative of the current Chairman of the African Union

05-21226 (E) 240105

Annex to the letter dated 13 January 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Nigeria to the United Nations addressed to the President of the Security Council

[Original: English and French]

PEACE AND SECURITY COUNCIL
TWENTY-THIRD MEETING
10 JANUARY 2005
LIBREVILLE, GABON

COMMUNIQUE

COMMUNIQUE OF THE TWENTY-THIRD MEETING OF THE PEACE AND SECURITY COUNCIL

The Peace and Security Council (PSC) of the African Union (AU), meeting at its 23rd meeting, at the level of Heads of State and Government, on 10 January 2005, in Libreville, Gabon, adopted the following communiqué:

A. ON THE SITUATION IN COTE D'IVOIRE

Council,

1. **Reiterates** the concern of the African Union about the serious difficulties faced by the peace process in Côte d'Ivoire and the substantial delays in the implementation of the Linas-Marcoussis Agreement of 24 January 2003 and that of Accra III of 30 July 2004, which should continue to guide the peace process in Côte d'Ivoire;

2. **Reiterates also** the concern of the AU about the disastrous consequences of the present situation on the social cohesion, the economic fabric and the unity of Côte d'Ivoire as well as on the regional stability and the economic development prospects of the region as a whole. In this connection, Council **reaffirms** its commitment to the respect of legality, sovereignty, unity and territorial integrity of Côte d'Ivoire;

3. **Commends** the Chairman of the AU and the Chairperson of the Commission for their prompt reaction following the serious deterioration of the situation in early November 2004, including the AU/ECOWAS Ota consultation meetings and the Abuja Summit held on 6 and 14 November 2004 respectively, under the auspices of President Olusegun Obasanjo, Chairman of the AU, as well as the decision to entrust President Thabo Mbeki with the mandate of mediating between the Ivorian Parties;

4. **Commends** the efforts made by President Thabo Mbeki and the prospects of a solution he has ushered in and **urges** all the Ivorian Parties to continue to maintain a climate conducive to the continuation of President Thabo Mbeki's efforts. Council **endorses** the plan to emerge from the crisis he submitted to the Ivorian Parties and which focuses on the following points:

   a. the adoption of all the texts emanating from the Linas-Marcoussis Agreement;

b. the implementation of the Disarmament, Demobilization and Reintegration (DDR) programme;

c. the effective functioning of the National Transition Government; and

d. the establishment, throughout the national territory, of a climate conducive to the restoration of peace and stability in Côte d'Ivoire;

5. **Expresses its appreciation** to President Laurent Gbagbo, the Speaker of the National Assembly, the Prime Minister, the G7 and all the Ivorian Parties for the progress made and **encourages** them to continue to seek a peaceful solution to the crisis;

6. **Expresses satisfaction** at the adoption by the National Assembly of fourteen (14) legislative texts emanating from under the Linas-Marcoussis Agreement, particularly the proposed law on the revision of Article 35 of the Ivorian Constitution on the conditions of eligibility to the Office of the President of the Republic. In this regard, Council **urges** President Laurent Gbagbo to do everything to conclude successfully this reform. To this end, Council **recognizes** that organizing a referendum is one of the options - which is not exclusive – that the President could resort to only if this consultation is organized in compliance with the spirit of the Linas-Marcoussis and Accra III Agreements. Council **calls for** a speedy solution to this issue, so as to encourage the implementation of the DDR programme and facilitate the organization of the elections scheduled for October 2005;

7. **Stresses** the urgent need for the full implementation of the DDR programme, in conformity with the calendar laid down by President Thabo Mbeki and the National Disarmament, Demobilization and Reintegration Commission (CNDDR) according to the following phases: establishment of areas for cantonment, assembly of men and arms and disarmament, which will pave the way for the redeployment, first, of the health and education services, and subsequently that of the administration over the entire national territory. Council **urges** the *Forces Nouvelles* to cooperate fully with the CNDDR, with a view to facilitating the beginning of the DDR as soon as possible;

8. **Stresses also** the need for the effective functioning of the Government and greater cohesion between its members to enable it fully assume its responsibilities in the implementation of the programme of the National

Reconciliation Government as well as the need for a regular evaluation of the functioning of the latter;

9. **Requests** the Government and all the Ivorian Parties to take appropriate measures to re-establish the security of persons and goods and end any incitement to hatred and intolerance, particularly through the media. In this regard, Council **encourages** any measures aimed at ensuring that the Ivorian Radio and Television (RTI) broadcast over the whole national territory and that the media contribute to promote a climate of reconciliation and tolerance;

10. **Welcomes** the establishment of joint patrols comprising elements of the National Armed Forces of Côte d'Ivoire (FANCI) and the United Nations Operation in Côte d'Ivoire (ONUCI) with a view to restoring lasting security in the city of Abidjan and its suburbs. In this regard, Council **requests** the United Nations Security Council to substantially increase the strength of ONUCI, including through the contribution of African forces to enable it contribute effectively to the restoration of security in Abidjan and elsewhere in the country, and strengthen its mandate appropriately;

11. **Supports** the arms embargo imposed on Côte d'Ivoire under Resolution 1572(2004) and **requests** the Ivorian Parties and all AU Member States, particularly the neighbouring States, to scrupulously comply with the embargo. Council **requests** the United Nations Security Council to provide the necessary assistance to the States neighbouring Côte d'Ivoire to facilitate the compliance with the arms embargo;

12. **Supports also** the individual measures provided for under paragraphs 9 and 11 of Resolution 1572. However, Council **requests** that their entry into force be deferred to enable the Ivorian Parties to provide proof of their willingness to implement the proposals listed in paragraph 4 of the present communiqué;

13. **Requests** the Ivorian authorities to take the following support measures likely to contribute to the defusing of the situation and the establishment of a climate conducive to the organization of elections under international supervision and within the stipulated timeframe. These measures would be as follows:

- authorize the political parties which so wish, to replace their current representatives on the Independent Electoral Commission;

- compensate the Ivorian people who were victims of the civil war, foreign citizens expelled and/or expropriated during and in the aftermath of the events of September 2002 and November 2004, the political associations whose headquarters were looted and destroyed and the political personalities whose movable and immovable property were also vandalized;

14. **Stresses** the urgent need to combat impunity and to bring to justice the perpetrators of human rights and International Humanitarian Law violations, as well as all those who incite hatred and violence;

15. **Decides** to renew the mandate entrusted to President Thabo Mbeki and **requests** the latter to continue his efforts on behalf of the AU and keep the Chairman of the AU regularly informed about these efforts. President Mbeki will be assisted by a Special Envoy of the Chairman of the AU, the Monitoring Group established by the Accra III Agreement, comprising ECOWAS, the AU and the UN, as well as the AU Liaison Office in Abidjan, which should be strengthened accordingly. Council **urges** the Ivorian Parties to cooperate fully with President Thabo Mbeki and scrupulously honour the commitments made within the framework of the implementation of the proposals to emerge from the crisis contained in the road-map proposed by President Mbeki;

16. **Expresses** its appreciation to the Secretary-General of the United Nations and the Security Council for their support and cooperation;

17. **Decides** to consider the situation in Côte d'Ivoire on the basis of the periodic reports to be submitted, within three months at the very latest.

B. ON THE SITUATION IN EASTERN DEMOCRATIC REPUBLIC OF CONGO (DRC) AND THE RELATIONS BETWEEN DRC AND RWANDA

Council,

1. **Reiterates** its serious concern over the security situation in Eastern Democratic Republic of Congo (DRC) and over the continued presence, in the Kivus, of the ex-FAR and the Interahamwé, who threaten the peace and security of the DRC and Rwanda, heighten the tension between the two countries and undermine the peace and transition

processes in DRC. Council **reaffirms** its support to the commitment of the Heads of State and Government signatories of the Dar-es-Salaam Declaration of 20 November 2004 on Peace, Security, Democracy and Development in the Great Lakes Region, to combat genocide in the Region, neutralize, disarm and refer to International Tribunals the perpetrators of genocide, including the forces which committed genocide in Rwanda in 1994. Council **also supports** their commitment to prohibit any form of direct or indirect support, supply of arms or any form of assistance to armed groups for the purpose of carrying out, from any territory, acts of aggression or subversion against other Member States;

2. **Reaffirms** the obligation of all Member States to comply with the principles enshrined in the Constitutive Act of the African Union, in particular the respect of the sovereignty and territorial integrity of Member States, the peaceful settlement of disputes and the prohibition of the use of force or the threat to use force among Member States and the rejection of policies of exclusion;

3. **Affirms** that the problem posed by the continued presence of the ex-FAR and Interahamwe and other armed groups in Eastern DRC requires a decisive action by the international community at large and Africa in particular, to effectively disarm and neutralize these armed groups. In this regard, Council **welcomes** the support expressed by the President of the DRC to the principle of forceful disarmament of these armed groups by an African force. In this respect, Council **urges** AU Member States to extend the necessary security assistance, including troops, to contribute to the effective disarmament and neutralization of the armed groups. Furthermore, Council **requests** the Commission to facilitate necessary consultations with AU Member States, including the countries of the region, the United Nations, the European Union (EU) and other stakeholders, as a follow-up to this decision;

4. **Requests** the UN Security Council to increase substantially the strength of the Mission of the Organisation of the United Nations in the Congo (MONUC) and enhance its mandate to enable it contribute more effectively to the stabilization of the situation in Eastern DRC, including in the disarmament and the neutralisation of the ex-FAR and Interahamwe and in the enhancement of security along the border between the DRC and Rwanda;

5. **Requests** the Chairperson of the AU Commission, in concert with the United Nations, to work towards the early operationalization of the Joint Verification Mechanism (JVM) agreed upon by DRC and Rwanda, in the spirit and letter of the Terms of Reference signed in New York on 22 September 2004 under the aegis of the United Nations and the AU and **calls upon** the Parties to cooperate fully with the African Union and the United Nations;

6. **Requests** the Current Chairman of the African Union, in liaison with the Chairperson of the Commission, to take appropriate measures to encourage the re-establishment of confidence between the DRC and Rwanda, including meetings between Presidents Joseph Kabila and Paul Kagamé. Council **welcomes** the readiness shown by the two Heads of State in this regard, and **encourages** the resumption of formal diplomatic relations between the two countries, preferably before the next AU Assembly of Heads of State and Government;

7. **Calls upon** the United Nations, bilateral and multilateral partners, as well as the international community as a whole, to continue to support the peace and transition processes in the DRC, including the enhancement of the cohesion within the transitional institutions, the restoration of the authority of the State over the whole national territory, the speeding up of the process of integration of the army and the security services and the establishment of conditions for compliance with the electoral calendar;

8. **Requests** the Current Chairman of the AU to establish a Committee to follow up, on a regular basis, the situation in DRC and assist the transition process. The Committee should carry out consultations with the United Nations and the European Union, as well as all concerned countries and organizations, to seek appropriate support for the transition process in DRC, including the DDR programme. Council **mandates** the Current Chairman to appoint a Special Envoy to ensure liaison between the AU, the United Nations, the EU and other concerned actors, to assist in mobilizing international support and guide the process, in collaboration with all stakeholders.

9. **Requests** the Chairperson of the Commission to take the necessary measures to strengthen the Liaison Office of the African Union in the

DRC to enable it play a more active role in supporting the transition process, particularly the electoral process.

C. ON THE SITUATION IN THE DARFUR REGION OF THE SUDAN

Council:

1. **Welcomes** the signing, on 9 January 2005, of the Comprehensive Peace Agreement (CPA) between the Government of the Sudan and the Sudan People's Liberation Movement/Army (SPLM/A), and **congratulates** the Sudanese Parties for this historical Agreement. Council **calls** for the scrupulous implementation of this Agreement and **expresses its conviction** that the CPA offers a framework upon which other contentious issues in the Sudan, including the conflict in Darfur, could be resolved;

2. **Stresses** that a lasting solution to the conflict in Darfur can only be achieved through political and peaceful means and **urges** the Parties to recommit themselves to dialogue. In this regard, Council **demands** that the Inter-Sudanese Peace Talks be resumed in Abuja, in early February 2005, and **requests** the Movements to be represented thereto by their highest leaders;

3. **Strongly condemns** the gross and repeated violations of the Humanitarian Ceasefire Agreement of 8 April 2004 and the Abuja Protocols of 9 November 2004. Council **further condemns** the continued attacks against innocent civilians and humanitarian workers. Council **expresses its deep concern** at the prevailing humanitarian situation and **urges** the Parties to work in earnest to create conducive conditions to facilitate and enhance the presence on the ground of humanitarian organizations and NGOs and the effective delivery of humanitarian assistance;

4. **Urges** all the Sudanese Parties to abide by their commitments and fully cooperate with the AU, UN and humanitarian organizations in order to create conditions for the commencement of the voluntary and safe return of internally displaced persons and refugees, as soon as possible, and in any case, before the beginning of the rainy season;

5. **Acknowledges** the fact that the Government of the Sudan had provided to the Ceasefire Commission information relating to the locations of its forces as well as a list of its prisoners, and has reacted

to the list communicated by the Movements, by providing information on the various categories of persons it is detaining. Council **also acknowledges** the fact that the Movements had given to the Joint Commission the list of their members detained by the Government of the Sudan and **requests** the Movements to react to the list provided by the Government;

6. **Demands** that the Parties extend unreserved cooperation to the African Union Mission in the Sudan (AMIS) and fully implement the decisions of the 6th Meeting of the Joint Commission held in N'djamena, Chad, on 3-4 January 2005. In this regard:

   - the Government of the Sudan should immediately withdraw its forces to the positions they held before the military offensive launched on 8 December 2004, in order to create conditions conducive to the resumption of the political negotiations, disarm the Janjaweed/Armed militias and inform AMIS of the concrete steps taken in this regard. In this respect, the Council **welcomes** the pledge by the Government of the Sudan to withdraw its forces to their pre-8 December positions;

   - the Movements should immediately communicate to the Chairman of the Ceasefire Commission the locations of their forces and put an end to attacks against commercial activities and government infrastructures, including police stations;

7. **Asks** the Ceasefire Commission to verify the implementation by the Parties of the above-mentioned commitments and to report accordingly to it for appropriate action;

8. **Appeals** to the International community, in particular the UN Security Council and its Members, to exert constant pressure on all the Parties so that they abide by their commitments and extend full cooperation to AU efforts;

9. **Asks** the AU Commission to continue and accelerate the deployment of AMIS. In this respect, Council **expresses appreciation** to the AU Member States which contributed troops and civilian personnel to AMIS and **urges** Member States that have been requested by the Commission to provide personnel, to quickly do so to enable AMIS to effectively discharge its mandate;

10. **Expresses appreciation** for the efforts being deployed by African individual Leaders to bring about peace and security in Darfur and **encourages** greater coordination of such efforts within the framework of the Abuja Talks;

11. **Also expresses appreciation** for the contribution and support of the UN Secretary-General and that of the UN Security Council to AU efforts in promoting a lasting solution to the crisis in Darfur;

12. **Further expresses its appreciation** to AU Partners for their support to the on-going efforts of the African Union both regarding the deployment of the AMIS and the Peace Talks in Abuja.